

REMARKS

The foregoing amendments are provided to impart precision to the claims, by more particularly pointing out the invention. The foregoing amendments have not been made for purpose of patentability.

SPECIFICATION

An abstract commencing on a separate sheet in accordance with 37 CFR 1.52(b)(1) is provided.

CLAIM REJECTIONS – 35 USC 102

Examiner has rejected several claims under 102 U.S.C. 102(a) as being clearly anticipated by the Internet service Expertcity.com.

"To anticipate a claims, the reference must teach every element of the claim. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." (Manual of Patent Examining Procedures (MPEP) ¶ 2131.)

Applicants independent claims include limitations not disclosed or taught by Expertcity. As a result, applicants' independent claims are not anticipated by Expertcity.

In particular, as indicated on the Expertcity reference, Expertcity did not add a telephone service until April 24, 2000, well after the priority date of the present application. In addition, Expertcity does not disclose placing separate telephone calls to the expert and the consumer automatically in response to in response to the consumer selecting a displayed icon corresponding to the expert.

Rather, Expertcity discloses the archane method of down loading a applications onto both the consumer's computer and the experts's computer – as disclosed by Expertcity's Web page under "How Expertcity Works." Furthermore, once the applications have been downloaded, only a "chat window" capability is available for the consumer and expert to communicate– compared to having telephone calls automatically placed between the expert and the consumer, as claimed by applicants. As a result, applicants claimed limitations provide the benefit a faster interconnection between the selected expert and consumer because the consumer does not have to down load any applications onto both the consumer's computer and the expert's computer.

In addition, the examiner has also provisionally rejected several of applicants claims under 35 U.S.C. 102(e) as being anticipated by copending application 09/488,130. Applicants point out that the independent claims currently pending include several limitations not disclosed nor suggested by the copending application 09/488,130. As a result, applicants' independent claims are not anticipated and are patentable over copending application 09/488,130.

DOUBLE PATENTING

Examiner has also provisionally rejected several claims under the judicially created doctrine of obviousness-type double patenting 09/488,130. Applicants have submitted a terminal disclaimer.

If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully requested to contact John P. Ward at (408) 720-8300.

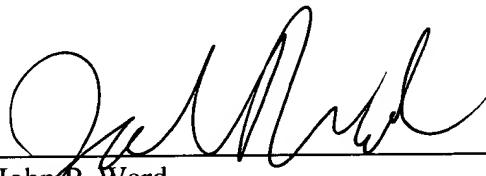
Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due in relation to the present communication.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 2/5, 2001



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